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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
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STATE BOUNDARY COMMISSION

LEGAL SUFFICIENCY CHECKLIST CRITERIA FOR ANNEXATIONS, INCORPORATIONS, & CONSOLIDATION (Based on State Boundary Commission Rules 25, 26 and 27)

PART I (Perimeter map or drawing)

- shall **clearly identify graphically the territory** proposed to be incorporated, consolidated or annexed;
- shall be of **sufficient scale and clarity**;
- **minimum size: 8 1/2" x 13"; maximum size: 14" x 18"**;
- shall be **substantially accurate and consistent with the legal description** [PART III] of the territory proposed to be incorporated, consolidated or annexed;
- shall be **unambiguous to a layperson** regarding:
 - (a) **inclusion or exclusion** of his/her own property;
 - (b) **identifiable roads**;
 - (c) **section lines**;
 - (d) **existing local government boundaries**;
 - (e) **major geographic features**.

PARTS II through VI

- shall be prepared on forms furnished by the Commission [or an accurate facsimile of current forms];
- Petition forms are available either by contacting the State Boundary Commission Office or on the web at:
http://www.michigan.gov/documents/cis_opla_checklis_35833_7.pdf.

PART III

- shall **clearly identify by an accurate written description** the boundaries of the territory proposed to be incorporated, consolidated or annexed;

- shall be **substantially accurate** and **consistent with the perimeter map or drawing** [PART I] of territory proposed to be incorporated, consolidated or annexed.

PART VII (Map)

- shall clearly identify the relationship of the area proposed for incorporation, consolidation or annexation to the balance of the involved and adjacent units of government;
- may be of any size petitioner chooses;
- this map is not a factor in determining legal sufficiency of petition.

ANNEXATION PETITIONS

BY FIRM, CORPORATION OR OTHER FORMAL ORGANIZATION

Include copies of **documents necessary to show petitioner was authorized to file**, such as:

- resolutions;
- meeting minutes;
- correspondence;
- transmittal letters.

Document the following:

- officer or other agent was **authorized** to initiate a petition on behalf of an organization;
- governing body of the **organization was fully informed**;
- governing body **approved** the annexation petition.

ANNEXATION RESOLUTION BY CITY

Include copies of **documents necessary to show petitioner was authorized to file**, such as:

- resolutions;
- meeting minutes;
- correspondence;
- transmittal letters.

Document the following:

- officer or other agent was **authorized** to initiate a petition on behalf of city;
- governing body of the **city was fully informed**;
- governing body **approved** the annexation resolution.

ANNEXATION RESOLUTION INITIATED BY CITY PLANNING COMMISSION OR A BOARD OR COMMISSION OTHER THAN THE CITY COUNCIL

Include copies of **documents necessary to show petitioner was authorized to file**, such as:

- resolutions;
- meeting minutes;
- correspondence;
- transmittal letters.

Document the following:

- officer or other agent was **authorized** to initiate a petition on behalf of board or commission city;
- governing body of the **board or commission was fully informed**;
- governing body **approved** the annexation resolution;
- **city council was fully informed**;
- **city council approved the annexation resolution**.

CONSOLIDATION PETITIONS

(Per State Boundary Commission Act, MCL 123.1012)

PETITION SIGNERS:

- a. Each signer must be a registered elector in one of the affected municipalities.
- b. Signatures may be collected in 1 or more of the affected municipalities.
- c. Signatures must equal at least 5% of the total population of the affected municipalities.

MUNICIPALITIES THAT MAY CONSOLIDATE:

- a. Combinations of cities, villages and townships.
- b. At least one of the municipalities in any consolidation must be an incorporated city.
- c. No township may be consolidated with other municipalities unless every village incorporated within its territorial boundaries is included in the consolidation.

TWO YEAR MORATORIUM:

The Commission must reject a consolidation petition if consolidation of the identical municipalities has been voted on within the 2 years immediately preceding the filing of the later petition, unless the prior petition included 1 or more municipalities that are not included in the later petition.

SUFFICIENCY REVIEW & PROCESS:

Process as a petition proposing to incorporate a new city.

NOTE:

If recorded documents are **referenced** in documents that are part of any petition or resolution **but not included** in the petition,

then Commission staff may request copies,
prior to the commission's meeting on legal sufficiency,
in order to determine the accuracy of the petition, map/drawing or legal description.

Upon filing, petitions will stand or fall on content (except as noted above).

No modifications, corrections, deletions, or additions are permitted after filing.